



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

January 30, 2004

Michael N. Lau
Lau & Associates
7701 Rockledge Court
Springfield, VA 22152

In re application of:
Tucciarone et. al DECISION ON PETITION
Serial No.: 09/750,923
Filed: January 2, 2001

For: ELECTRONIC MESSAGING SYSTEM AND METHOD THEREOF

This is a decision on the petition received on November 25, 2003, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts of Application mailed February 16, 2001. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned April 17, 2001. A notice of abandonment was mailed on November 3, 2003.

On November 25, 2003 the office received a communication from the attorney of record. Enclosed was an acknowledgment that the attorney responded to the Notice to File Missing Part on April 10, 2001.

The evidence submitted is sufficient to establish that the petitioners responded to the Notice to File Missing Parts of Application on April 10, 2001.

The petition is hereby GRANTED.

The application has been completed for release to Technology Center 2182.

Telephone inquiries concerning this matter may be directed to Doshie E. Day at (703) 308-3640.


Doshie E. Day
Program Management Assistant
Office Initial Patent Examination



09/750,923

Attorney Docket No. 004-0003/MNL

AA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Tucciarone et. Al. : Examiner TBD
Serial No. 09/750,923 : Art Unit 2182
Filed: January 2, 2001 :
For ELECTRONIC MESSAGING SYSTEM AND METHOD THEREOF

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 1.181(a)

Mail Stop Petitions
Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On November 3, 2003, the Patent Office has issued a Notice of Abandonment Under 37 CFR 1.53(f) or (g), indicating that the above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts mailed on May 10, 2001.

The Undersigned Attorney hereby declares that the Notice to File Missing Parts mailed on May 10, 2001 was never received.

It should be noted that a Notice to File Missing Parts of Nonprovisional Application (hereinafter as Notice to File Missing Parts) mailed on February 16, 2001 was received by the Undersigned Attorney. A copy of the Notice to File Missing Parts is enclosed herewith as Attachment A.

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In response to the Notice to File Missing Parts, the Undersigned Attorney prepared and filed two Communication packets on April 10, 2001. The first Communication packet contains a copy of the Notice to File Missing Parts of Nonprovisional Application mailed on February 16, 2001; a cover letter; a Declaration for Utility of Design Patent Application; a USPTO Credit Card Payment Form authorizing a payment amount of \$65.00 to file the Declaration. The first Communication is enclosed herewith as Attachment B.

The second Communication packet contains a cover letter; an Assignment; a Recordation Form Cover Sheet for recording the Assignment; and a USPTO Credit Card Payment Form authorizing a payment of \$40.00. A copy of the second Communication is enclosed herewith as Attachment C.

The Patent Office has received both of these communication packets, as evidenced by the return postcard with an OIPE stamp dated April 10, 2001. The postcard is enclosed herewith as Attachment D.

A corollary proof that the Patent Office has timely received the Communication packets is a Credit Card statement with a closing date of April 24, 2001. In this statement, there is an indication that the USPTO has received a \$40.00 payment on April 12, 2001. There is also an indication that the USPTO has received a \$65.00 payment on April 12, 2001. The Credit Card Statement is enclosed herewith as Attachment E.

For the foregoing reasons, the Undersigned Attorney has indeed made a timely reply on April 10, 2001 to the Notice to File Missing Parts dated February 16, 2001, and the timely reply was indeed received by the USPTO. It is apparent that the USPTO has since lost the Communication packets, thus leading to the Notice of Abandonment

mailed on November 3, 2003. Had the USPTO not loss the Communication packets, the above-identified application would not have been regarded as abandoned.

Therefore, the Undersigned Attorney respectfully request under 37 CFR 1.181(a) and MPEP 711.03(c)(I) that the holding of abandonment be withdraw.

Though it is clearly stated in MPEP 711.03(c)(I) that where an applicant contends that the application is not in fact abandoned, a petition under 37 CFR 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course or action and such petition does not require a fee, in case of oversight, the Commissioner is hereby authorized to charge any underpayment of fees or credit any overpayment of fees in connection with this communication to Deposit Account Number 502840.

Respectfully submitted,



Michael N. Lau
(Registration No. 39,479)
Lau & Associates
7701 Rockledge Court
Springfield, VA 22152
703-644-7695 (Telephone)
703-644-4303 (Facsimile)
Michael_Lau_@Yahoo.com

November 25, 2003



O I P E JG/77
NOV 25 2003
PATENT AND TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/750,923	01/02/2001	Joel D. Tucciarone	004-0003

CONFIRMATION NO. 7355

ABANDONMENT/TERMINATION
LETTER



OC000000011166319

Date Mailed: 11/03/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/10/2001.

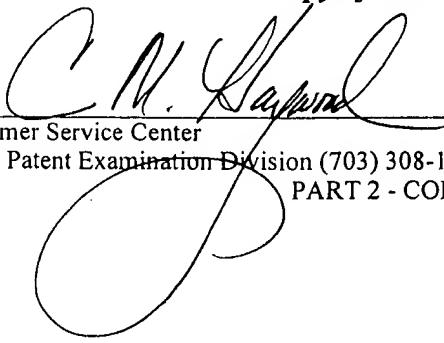
A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



ATTACHMENT A

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/750,923	01/02/2001	Joel D. Tucciarone	00-0003/mnl

CONFIRMATION NO. 7355

FORMALITIES LETTER



OC000000005775453

Michael N. Lau
7701 Rockledge Court
Springfield, VA 22152

Date Mailed: 02/16/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- The Claim(s) commencing on a separate sheet (37 CFR 1.75(h)).
- A substitute specification in compliance with 37 CFR 1.52 because:

- The specification cannot be scanned or properly stored. Page(s)

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- Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily

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legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 73-118 are not in compliance with 37 CFR 1.52(a).

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Please type a plus sign (+) inside this box →

PTO/SB/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number → Place Customer Number Bar Code Label here
OR

Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
Michael N. Lau	39,479		

Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: Customer Number OR Correspondence address below

Name	Michael N. Lau				
Address	7701 Rockledge Court				
Address	Springfield, VA 22152				
City	State	ZIP			
Country	Telephone	703-644-7695	Fax	703-644-4303	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor: A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])		Family Name or Surname				
Joel D.		Tucciarone				
Inventor's Signature					Date	4/2/2001
Residence: City	State	Country	Citizenship	USA		
Post Office Address	24 Wellington Court					
Post Office Address	Brooklyn, NY 11230					
City	State	ZIP	Country			

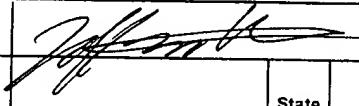
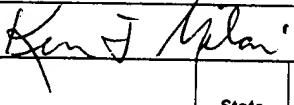
Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

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PTO/SB/02A (3-97)
Approved for use through 9/30/98. OMB 0651-0032

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION				ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>3</u> of <u>4</u>			
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Chester Y. M.				Chee			
Inventor's Signature					Date	4/2/2001	
Residence: City		State		Country		Citizenship	USA
Post Office Address	149-58 Ash Avenue						
Post Office Address	Flushing, NY 11355						
City		State		ZIP		Country	
Name of Additional Joint Inventor, if any:	<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])				Family Name or Surname			
Jeffrey Y.				Huang			
Inventor's Signature					Date	4/2/01	
Residence: City		State		Country		Citizenship	USA
Post Office Address	146-22 Kalmia Avenue						
Post Office Address	Flushing, NY 11355						
City		State		ZIP		Country	
Name of Additional Joint Inventor, if any:	<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])				Family Name or Surname			
Kevin				Milani			
Inventor's Signature					Date	4/4/01	
Residence: City		State		Country		Citizenship	USA
Post Office Address	152 President Street, Apt. 2						
Post Office Address	Brooklyn, NY 11231						
City		State		ZIP		Country	

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → **+**

PTO/SB/02A (3-97)
Approved for use through 9/30/98. OMB 0651-0032

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION				ADDITIONAL INVENTOR(S) Supplemental Sheet Page 4 of 4			
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Patrick				Tighe			
Inventor's Signature	<i>Patrick Tighe</i>				Date	4/6/01	
Residence: City		State		Country		Citizenship	USA
Post Office Address	123 Bank Street						
Post Office Address	New York, NY 10014						
City		State		ZIP		Country	
Name of Additional Joint Inventor, if any:	<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])				Family Name or Surname			
Marlin				Pohlman			
Inventor's Signature	<i>Marlin</i>				Date	3/29/01	
Residence: City		State		Country		Citizenship	USA
Post Office Address	6 East 22nd Street, Suite 108						
Post Office Address	Tulsa, OK 74114						
City		State		ZIP		Country	
Name of Additional Joint Inventor, if any:	<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature					Date		
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

ATTACHMENT B

09/750,923
Attorney Docket No. 004-0003/mnl

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of :
Tucciarone et al. : Examiner TBD
Serial No. 09/750,923 : Art Unit 2182
Filed: Jan. 2, 2001 :
For Electronic Messaging System and Method Thereof

COMMUNICATION

Box Missing Parts
Honorable Commissioner of Patent
Washington, DC 20231

Sir:

This Communication is filed in response to the Notice To File Missing Parts of Nonprovisional Application mailed on February 16, 2001, having a response due date of April 16, 2001. This communication being timely filed on or before the due date; therefore, no extension of time fee is necessary.

Enclosed herewith are copies of a Declaration, and a Notice To File Missing Parts of Nonprovisional Application.

Also enclosed herewith is a credit card payment form in the amount of \$65.00.

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09/750,923
Attorney Docket No. 004-0003/mnl

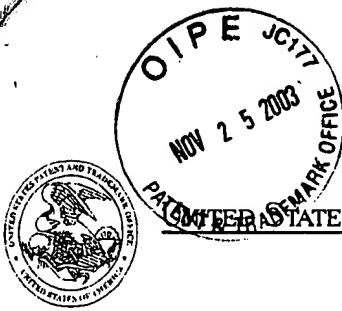
The Commissioner is hereby authorized to charge any underpayment of fees or credit any overpayment of fees in connection with this communication to Deposit Account 501356.

Respectfully submitted,



Michael N. Lau
(Registration No. 39,479)
Lau & Associates
1101 14th Street, N.W., Suite 504
Washington, DC 20005
202-326-0222
202-326-0223 (Fax)
Michael lau @Yahoo.com

April 10, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/750,923	01/02/2001	Joel D. Tucciarone	00-0003/mnl

CONFIRMATION NO. 7355

FORMALITIES LETTER

Michael N. Lau
 7701 Rockledge Court
 Springfield, VA 22152



Date Mailed: 02/16/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- The Claim(s) commencing on a separate sheet (37 CFR 1.75(h)).
- A substitute specification in compliance with 37 CFR 1.52 because:

- The specification cannot be scanned or properly stored. Page(s)

- Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily

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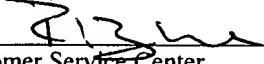
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- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*


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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

ATTACHMENT C

09/750,923
Attorney Docket No. 004-0003/mnl

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Tucciarone et al. : TBD
Serial No. 09/750,923 : Art Unit 2182
Filed: Jan. 2, 2001 :

For Electronic Messaging System and Method Thereof



COMMUNICATION

Box Assignment
Honorable Commissioner of Patent
Washington, DC 20231

Sir:

Enclosed herewith are an executed Assignment, a
Recordation Form Cover Sheet, and a credit card payment
form in the amount of \$40, please promptly record these
legal instruments.

The Commissioner is hereby authorized to charge any
underpayment of fees or credit any overpayment of fees in
connection with this communication to Deposit Account
501356.

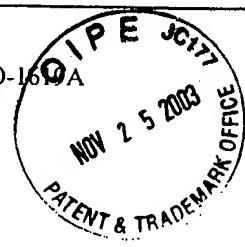
Respectfully submitted,



Michael N. Lau
(Registration No. 39,479)
Lau & Associates

Attorney Docket No. 004-0003/mnl
1101 14th Street, N.W., Suite 504
Washington, DC 20005
202-326-0222
202-326-0223 (Fax)
Michael lau @Yahoo.com

April 10, 2001



RECORDATION FORM COVER SHEET PATENTS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

New
 Resubmission (Non-Recordation)
 Document ID#
 Correction of PTO Error
 Reel # Frame #
 Corrective Document
 Reel # Frame #

Conveyance Type

Assignment Security Agreement
 License Change of Name
 Merger Other
U.S. Government
 (For Use ONLY by U.S. Government Agencies)
 Departmental File Secret File

Conveying Party(ies)

Mark if additional names of conveying parties attached Execution Date
 Month Day Year

Name (line 1) Joel D. Tucciarone
 Name (line 2)

4 2 01

Second Party

Name (line 1) Chester Y. M. Chee
 Name (line 2)

Execution Date
 Month Day Year
 4 2 01

Receiving Party

Mark if additional names of receiving parties attached

Name (line 1) Zoe Corporation If document to be recorded
 is an assignment and the
 receiving party is not
 domiciled in the United
 States, an appointment
 of a domestic
 representative is attached.
 (Designation must be a
 separate document from
 Assignment.)
 Name (line 2)
 Address (line 1) 270 Lafayette Street, Suite 1202
 Address (line 2)
 Address (line 3) New York New York 10012
 City State/County Zip Code

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name Michael N. Lau
 Address (line 1) P.O. Box 34041, Suite 504
 Address (line 2) Washington, DC 20043
 Address (line 3)
 Address (line 4)

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
 Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

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RECORDATION FORM COVER SHEET
CONTINUATION
PATENTS ONLY

Conveying Party(ies)

Enter additional Conveying Parties

Name (line 1)

Mark if additional names of conveying parties attached

Execution Date
Month Day Year
3 29 01

Name (line 2)

Name (line 1)

Name (line 2)

Name (line 1)

Name (line 2)

Execution Date
Month Day Year

Execution Date
Month Day Year

Receiving Party(ies)

Enter additional Receiving Party(ies)

Name (line 1)

Mark if additional names of receiving parties attached

If document to be recorded
is an assignment and the
receiving party is not
domiciled in the United
States, an appointment
of a domestic representative
is attached. (Designation
must be a separate
document from
Assignment.)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

If document to be recorded
is an assignment and the
receiving party is not
domiciled in the United
States, an appointment of a
domestic representative is
attached. (Designation must
be a separate document from
Assignment.)

Application Number(s) or Patent Number(s)

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

<input type="text"/>	<input type="text"/>	<input type="text"/>
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Patent Number(s)

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<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Correspondent Name and Address

Area Code and Telephone Number **202-326-0222**

Name **Michael N. Lau**

Address (line 1) **P. O. Box 34041**

Address (line 2) **Washington, DC 20043**

Address (line 3)

Address (line 4)

Pages Enter the total number of pages of the attached conveyance document including any attachments. # **5**

Application Number(s) or Patent Number(s)

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

09/750,923	

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number

PCT

PCT

PCT

only if a U.S. Application Number
has not been assigned.

PCT

PCT

PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ **40.00**

Method of Payment:
Deposit Account

Enclosed Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

501356

Authorization to charge additional fees:

Yes

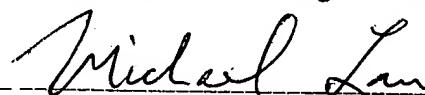
No

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Michael N. Lau

Name of Person Signing



Signature

April 10, 2001

Date

ASSIGNMENT

WHEREAS, we,

Joel D. Tucciarone, a citizen of the United States of America, residing at 24 Wellington Court, Brooklyn, New York 11230, U.S.A.;

Chester Y. M. Chee, a citizen of the United States of America, residing at 149-58 Ash Avenue, Flushing, New York 11355, U.S.A.;

Jeffrey Y. Huang, a citizen of the United States of America, residing at 146-22 Kalmia Avenue, Flushing, New York 11355, U.S.A.;

Kevin Milani, a citizen of the United States of America, residing at 152 President Street, Apt. 2, Brooklyn, New York 11231, U.S.A.;

Patrick Tighe, a citizen of the United States of America, residing at 123 Bank Street, New York, New York 10014, U.S.A.;

Marlin Pohlman, a citizen of the United States of America, residing at 6 East 22nd Street, Suite 108, Tulsa, Oklahoma 74114, U.S.A.;

have made a certain invention entitled an ELECTRONIC MESSAGING SYSTEM AND METHOD THEREOF, for which we have filed an application for letters patent of the United States of

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OFFICE OF PETITIONS

America on December 26, 2000, which application has been issued a U.S. Patent Application No. 09/750,923; and

WHEREAS, Zoe Corporation, having its principal place of business at 270 Lafayette Street, Suite 1202, New York, New York 10012, is desirous of acquiring an interest therein.

NOW, THEREFORE, in consideration of Ten Dollars (US \$10.00), in currency of the United States of America, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, by these presents, do sell, assign and transfer unto said Zoe Corporation, our entire right, title and interest, for the United States of America and its possessions and territories, and all foreign countries, in and to said invention as described and claimed in an application for letters patent of the United States of America, executed by us

Joel D. Tucciarone, this _____ day of
_____, 2001;

Chester Y. M. Chee, this _____ day of
_____, 2001;

Jeffrey Y. Huang, this _____ day of _____,
2001;

Kevin Milani, this _____ day of _____,
2001;

Patrick Tighe, this _____ day of _____,

2001;

Marlin Pohlman, this _____ day of _____,
2001;

preparatory to obtaining letters patent of the United States of America therefor, said application for letters patent of the United States of America, together with the right to file additional applications for letters patents or other forms of protection for said invention in all foreign countries, including all rights of priority created or conferred by any international convention or treaty to which the United States of America is a party or signatory, and in and to any letters patents or other forms of protection that may be granted for said invention; said invention, applications for patents or other forms of protection and letters patents or other forms of protection, and any continuation, continuations-in-part, divisions, reissues, extensions and renewals thereof, to be held and enjoyed by said Zoe Corporation, for its use and behoof and for its legal representatives, successors and assigns, to the full ends of the terms for which said letters patents or other forms of protection may be granted, as fully and entirely as the same would have been held by us individually had this assignment and sale not been made.

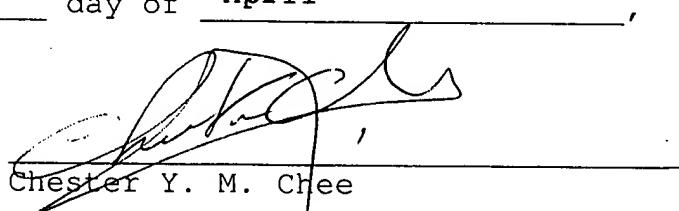
For the same consideration, we hereby covenant and agree that we will and that our legal representative(s) shall execute and deliver any and all application papers, assignments, powers of attorney and other instruments that said Zoe Corporation may consider necessary or advisable to secure letters patents or other forms of protection of the United States of America and all foreign countries for said invention, and any continuations, continuations-in-part, divisions, reissues, extensions and renewals thereof, and to vest and confirm in said Zoe Corporation, the full and complete legal and equitable title to said invention, applications and letters patents or other forms of protection, without further consideration than that now paid but at the expense of said Zoe Corporation, its successors or assigns.

Executed this 2 day of April,
2001.



Joel D. Tucciarone

Executed this 2 day of April,
2001.

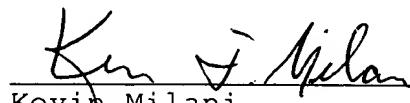


Chester Y. M. Chee

Executed this 2nd day of April,
2001.


Jeffrey Y. Huang

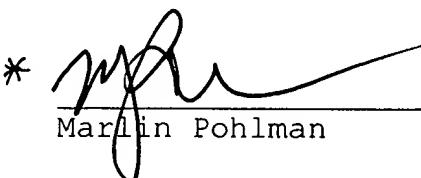
Executed this 4 day of April,
2001.


Kevin Milani

Executed this 2nd day of April,
2001.


Patrick Tighe

Executed this 29 day of March,
2001.

* 
Marlin Pohlman

ATTACHMENT D

Serial # 09/750,923 Attorney Docket # 004-0003
Filed: Jan 2, 2001 Inventor: Tucciarone et al.
Title: Electronic Messaging System & Method Thereof

COMMISSIONER OF PATENTS & TRADEMARKS
BOX Assignment
WASHINGTON, DC 20231

Please acknowledge receipt of the following by date stamping and returning this card to us.

Preliminary Amendment	Appeal Brief in Triplicate
Amendment	Reply Brief in Triplicate
X Communication 2	Notice of Appeal
New Application	Formal Drawing
PCT Application	Issue Fee & Transmittal
Continuation Patent Application (CPA)	Cover Letter
Divisional Application	Certificate of Mailing
Continuation-In-Part Application (CIP)	Hand Delivery
Certified Copy of Priority Application	Transmittal Letter
Specification, Drawings & Abstract	Petition
Information Disclosure Statement	Check #
Substitute Specification	Others
X Assignment with Recordation sheet	Credit Card Payment
X Declaration & Power of Attorney	Forms
	* Hand delivered

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ATTACHMENT E



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Page 1 of 12

American Express® Platinum Credit Card

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AUDREY P. LAU

Closing Date
April 24, 2001Account Number
3715-055941-41003

Account Summary

Previous Balance \$	Payment Activity \$	New Charge/Adjustments \$ inc. Finance Charge, if any	New Balance \$	Minimum Amount Due \$
2,648.09	-3,264.62	+2,478.52	1,861.99	37.00

* Indicates posting date.

642207

Payment Due Date
May 19, 2001Please refer to page 7
for important information
regarding your account

Credit Line Summary

on April 24, 2001	Total Credit Line \$	Available Credit Line \$	Cash Advance Limit \$	Available Cash Limit \$
	13,500.00	11,638.01	2,700.00	2,700.00

Payments

March 27, 2001*	Amount \$
PHONE PAYMENT USING EXPRESS CASH 1062816558343 FIRST UNION BANK Reference: 320010680195765423	-616.53
April 13, 2001*	-2,648.09
PHONE PAYMENT USING EXPRESS CASH 1062816558343 FIRST UNION BANK Reference: 320011030224048841	
Total of Payment Activity	-3,264.62

New Activity

Transactions for AUDREY P. LAU	Amount \$
Card 3715-055941-41003	
March 25, 2001	76.17
COSTCO WHOLESAL 0992SPRINGFIELD VA GENERAL MERCHANDISE ROC No. 0010722510 Reference: 320010650193316299	

↓ Please fold on the perforation below, detach and return with your payment ↓

Continued on reverse

Payment Coupon

Account Number
3715-055941-41003Payment Due Date:
May 19, 2001Please enter account
number on all checks and
correspondence.To avoid additional
Finance Charges on
Purchases, pay New
Balance before Payment
Due Date.

Amount enclosed

\$

Note any address and/or
telephone number change
on reverse side. Unless
you check here, this
change will apply to all of
your Card Accounts except
any Corporate Card
Accounts you may have.AUDREY P. LAU
7701 ROCKLEDGE CT
SPRINGFIELD VA 22152-3854

Mail Payment to:

AMERICAN EXPRESS
SUITE 0002
CHICAGO IL 60679-000208566 00202. (234)
R07EXA2N 02797

0000371505594141003 000186199000003700 21 H

Prepared For
AUDREY P. LAU

Account Number
3715-055941-41003

Page 2 of 12

New Activity continues

March 26, 2001	19.39
6620 BACKLICK SPRINGFIELD VA	
TEXACO	
23068539153086244004114	
Reference: 320010860194456076	
March 27, 2001	2.08
CVS STORE - 1398 SPRINGFIELD VA	
HEALTH/BEAUTY-AIDS	
ROC No. 00037486	
Reference: 320010870196098133	
April 1, 2001	13.56
GIANT FOODS #59 SPRINGFIELD VA	
GAS/GROCERIES/MISC	
Reference: 320010920204122260	
April 1, 2001	34.64
CVS STORE - 1398 SPRINGFIELD VA	
HEALTH/BEAUTY-AIDS	
ROC No. 00090394	
Reference: 320010920204122261	
April 2, 2001	45.00
COSTCO WHOLESALE 1-800-774-2678	
MEMBERSHIP RENEWAL FEE	
Reference: 320010920204122262	
April 5, 2001	35.07
CVS STORE - 1398 SPRINGFIELD VA	
HEALTH/BEAUTY-AIDS	
ROC No. 00091257	
Reference: 320010960211098721	
April 6, 2001	62.56
HANAHREUM CORP.VA ANNANDALE VA	
01/FOOD AND BEVERAGE	
ROC No. 0000016351	
Reference: 320010970213401518	
April 7, 2001	25.11
GIANT FOODS #59 SPRINGFIELD VA	
GAS/GROCERIES/MISC	
Reference: 320010980214380100	
April 13, 2001	31.95
HANAHREUM CORP.VA ANNANDALE VA	
01/FOOD AND BEVERAGE	
ROC No. 0000016725	
Reference: 320011040224482293	

Continued on next page

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Company

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AUDREY P. LAUAccount Number
3715-055941-41003

Page 3 of 12

Closing Date

April 24, 2001

Amount \$

New Activity continued

April 14, 2001	67.97
CVS STORE - 1398 SPRINGFIELD VA HEALTH/BEAUTY-AIDS ROC No. 00030386 Reference: 320011050225852055	
April 18, 2001	16.02
GIANT FOODS #59 SPRINGFIELD VA GAS/GROCERIES/MISC Reference: 320011090232550806	
April 19, 2001	5.15
CVS STORE - 1398 SPRINGFIELD VA HEALTH/BEAUTY-AIDS ROC No. 00047420 Reference: 320011100234299856	
April 20, 2001	20.00
CVS STORE - 1398 SPRINGFIELD VA HEALTH/BEAUTY-AIDS ROC No. 00094301 Reference: 320011110236167070	
April 21, 2001	66.36
MACY'S 84 SPRNGFLD SPRINGFIELD VA LANCOME Reference: 32001120237428931	
April 21, 2001	20.47
SPRINGFIELD AMOCO SPRINGFIELD VA PAY AT THE PUMP Reference: 320011120237428932	
April 22, 2001	42.29
HANAHREUM CORP.VA ANNANDALE VA 01/FOOD AND BEVERAGE ROC No. 0000003674 Reference: 320011130238973930	
Activity for AUDREY P. LAU	583.79

Tran actions for MICHAEL LAU

Card 3715-055941-41011

March 24, 2001	62.70
SMALL CAR PARTS LTD SPRINGFIELD VA AUTO PARTS Reference: 320010850193316300	
March 25, 2001	80.05
PEKING VILLAGE REST FALLS CHURCH VA FOOD/BEVERAGE Reference: 320010850192507428	
March 25, 2001	14.37
W C BASCOM JR FALLS CHURCH VA PAY AT THE PUMP Reference: 320010850192507428	
March 25, 2001	68.80
CHINA GARDEN RESTAURNT ARLINGTON VA FOOD AND BEVERAGE Reference: 320010850192507430	
March 26, 2001	63.45
WASHINGTON LAW/PROFSNL BK WASHINGTON DC BOOKS Reference: 320010850193833811	
March 26, 2001	123.00
MEMOSUN INC FOUNTAIN VLLY CA 20005 COMPUTER SOFTWARE ROC No. 099973 Reference: 320010850193833812	

02797 ROTEXAN

08567



N w A tivity c ntinued

		Amount \$
March 27, 2001	CAFE MOZART WASHINGTON DC FOOD AND BEVERAGE	22.04
	Reference: 320010870196098134	
March 28, 2001	W C BASCOM JR FALLS CHURCH VA PAY AT THE PUMP	7.38
	Reference: 320010870196098135	
March 28, 2001	USPS 1050050238 WASHINGTON DC POSTAL SERVICES	3.50
	Reference: 320010880197800169	
March 28, 2001	VALUE EMPORIUM.COM 7149937026 CA COMPUTER PROGRAMMING	124.38
	Reference: 320010880197800170	
March 29, 2001	MUSIC & ARTS CENTER SPRINGFIELD VA MUSIC/MUSICAL-INSTRMNT	71.50
	Reference: 320010890199547282	
March 29, 2001	COSTCO WHOLESAL 0992SPRINGFIELD VA GENERAL MERCHANDISE	5.32
	ROC No. 0010667820	
	Reference: 320010890200547350	
March 30, 2001	NUMBER ONE SPECIAL SPRINGFIELD VA FOOD/BEVERAGE	13.00
	FOOD/BEV	11.00
	WAITER	2.00
	Reference: 320010900201308512	
March 31, 2001	W C BASCOM JR FALLS CHURCH VA PAY AT THE PUMP	15.93
	Reference: 320010910202621935	
March 31, 2001	PEKING VILLAGE REST FALLS CHURCH VA FOOD/BEVERAGE	59.10
	Reference: 320010910202621936	
April 2, 2001	W C BASCOM JR FALLS CHURCH VA PAY AT THE PUMP	14.23
	Reference: 320010930206023059	
April 3, 2001	COMPUSA#0477 ALEXANDRIA VA 22304 COMPUTER HARDWARE, SOFTWARE, ACCESSORIES CONTACT NAME NOT AVAILABLE CONTACT PHONE NUMB. NOT AVAILABLE THANKS FOR SHOPPING AT COMPUSA!	358.23
	Reference: 320010940207531324	
April 3, 2001	COSTCO WHOLESAL 0992ARLINGTON VA GENERAL MERCHANDISE	59.53
	ROC No. 0010059230	
	Reference: 320010940208516580	
April 5, 2001*	COMPUSA#0477 ALEXANDRIA VA 22304 COMPUTER HARDWARE, SOFTWARE, ACCESSORIES CONTACT NAME NOT AVAILABLE CONTACT PHONE NUMB. NOT AVAILABLE THANKS FOR SHOPPING AT COMPUSA!	-31.34 Credit
	Reference: 320010950209314046	
April 6, 2001	WOODBRIDGE AMOCO WOODBRIDGE VA PAY AT THE PUMP	15.37
	Reference: 320010970212787770	

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AUDREY P. LAU

Account Number
3715-055941-41003

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N w A tivity	ntinu d	Amount \$
April 12, 2001		65.00
US PATENT & TRADEMARWASHINGTON, DC DC GOVT. SVCS. NOT ELSEWHE ROC No. 0000000000 Reference: 320011060230955811		
April 13, 2001		2.65
USPS 5165430220 SPRINGFIELD VA POSTAL SERVICES Reference: 320011040224482294		
April 13, 2001		18.98
SPRINGFIELD AMOCO SPRINGFIELD VA PAY AT THE PUMP Reference: 320011040224482295		
April 13, 2001		20.16
SPRINGFIELD AMOCO SPRINGFIELD VA PAY AT THE PUMP Reference: 320011040224482296		
April 13, 2001		13.60
GIANT FOODS #59 SPRINGFIELD VA GAS/GROCERIES/MISC Reference: 320011050225852056		
April 13, 2001		2.49
COSTCO WHOLESAL 0992SPRINGFIELD VA GENERAL MERCHANDISE ROC No. 0010545690 Reference: 320011060227435209		
April 14, 2001		24.90
NUMBER ONE SPECIAL SPRINGFIELD VA FOOD/BEVERAGE FOOD/BEV 21.40 WAITER 3.50 Reference: 320011060227435210		
April 16, 2001		11.76
CVS STORE - 1398 SPRINGFIELD VA HEALTH/BEAUTY-AIDS ROC No. 00093481 Reference: 320011070229058755		
April 16, 2001		4.13
WAL-MART 2194 ALEXANDRIA VA GENERAL MERCHANDISE Reference: 320011070229058756		
April 16, 2001		90.38
SMALL CAR PARTS LTD SPRINGFIELD VA AUTO PARTS Reference: 320011070229726496		
April 18, 2001		21.07
WOODBRIDGE AMOCO WOODBRIDGE VA PAY AT THE PUMP Reference: 320011090232550807		
April 18, 2001		53.07
THE HOME DEPOT 4604 WOODBRIDGE VA BUILDING SUPPLIES Reference: 320011090233585142		
April 18, 2001		52.77
THE HOME DEPOT 4604 WOODBRIDGE VA BUILDING SUPPLIES Reference: 320011090233585143		
April 19, 2001		47.67
THE HOME DEPOT #4603ALEXANDRIA VA BUILDING SUPPLIES Reference: 320011100235413695		
April 19, 2001		16.97
THE HOME DEPOT #4603ALEXANDRIA VA BUILDING SUPPLIES Reference: 320011100235413696		



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AUDREY P. LAUAccount Number
3715-055941-41003

Closing Date

April 24, 2001

Page 7 of 12

New Activity continued

Amount \$

April 19, 2001		3.54
KMART #07415 SPRINGFIELD VA GENERAL MERCHANDISE ROC No. 0741510904 Reference: 320011110236167072		
April 20, 2001		12.29
COSTCO GAS #933 0933 LANCASTER PA UNATTENDED GASOLINE 1875 HEMPSTEAD ROAD ROC No. 0010011240 Reference: 320011110236167071		
April 22, 2001		15.75
SUNOCO 0434701901 CRANBURY NJ SUNOCO 0060123 011301838 Reference: 320011140241002490		
April 23, 2001		76.17
THE HOME DEPOT #4617 SPRINGFIELD VA HARDWARE/HOME IMPROV Reference: 320011140242164886		
April 23, 2001		2.49
COSTCO WHOLESAL 0992 ARLINGTON VA GENERAL MERCHANDISE ROC No. 0010619470 Reference: 320011140242164887		
Activity for MICHAEL LAU		1,894.73

Total of New Activity **2,478.52**

Finance Charges Billing days this period: 30	Average Daily Balance \$	Daily Periodic Rate	Actual Annual Percentage Rate	Corresponding Annual Percentage Rate	FINANCE CHARGE \$
Purchases	0.00	0.0466%	0.00%	16.99%	0.00
Cash Advances	0.00	0.0589%	0.00%	21.49%	0.00
					0.00

Cash Rebate Earnings SummaryAUDREY P. LAU
3715-055941-41003Eligible Spending Toward
Rebate

Your qualified spending for the cash rebate is \$5,055.54.

Bonus .5% Rebate on Spend
when Carrying a Balance

In addition to the cash rebate reward you have earned for your qualified spending on the account, you have earned an additional \$12.88 for revolving your balance during this rebate period.

Remember to pay at least the minimum due, by the payment due date, to avoid Cash Rebate forfeiture and additional finance charges.

You will receive your next cash rebate reward in January 2002 as long as your account is in good standing. Remember, the more you use your American Express Platinum Cash Rebate Card for purchases, the greater your reward will be.

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During your January, February and March billing cycles you had no Express Cash, Pay-by-Phone, and/or automatic payment transactions and printed below is the banking information that we have on file for such transactions. If your banking information differs from that shown below, please call 1-800-CASH-NOW to change it.

Please refer to page 9
for further important
information regarding
your account